

### **REMARKS**

Claims 51-64 are pending in the present application. By this Reply, claims 1-50 have been canceled and new claims 51-64 have been added. Claims 51, 55, 57, 59, 61 and 63 are independent.

The claims have been amended to clarify the invention and to correct minor informalities according to U.S. patent practice. These modification do not add new matter and are fully supported by the original disclosure, for example, at least Figures 4-8 and the corresponding description in the specification.

#### **35 U.S.C. § 102 and 103 Rejection**

Claims 1-3, 7-11, 14-17, 19, 20, 22, 23, 25-29, 33-37, 40-43, 45-46, 48 and 49 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Fukasawa. Claims 1, 4, 5, 12, 27, 30, 31 and 38 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Kim et al. Claims 1-14, 17, 19-20, 22, 23, 25-40, 42, 43, 45-46, 48 and 49 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Hwang et al. Claims 18 and 44 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasawa in view of Ito. Claims 21, 24, 47 and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasawa in view of Applicants' disclosed related art. Claims 6, 12, 32 and 39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of Nishiuchi et al. Claims 18 and 44 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang in view of Ito. Claims 21, 24, 47 and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang in view of Applicants' disclosed related art.

Without acquiescing to any of the Examiner's allegations made to reject these claims, claims 1-50 have been canceled in view of new claims 51-64. Thus, these rejections are moot and should be withdrawn.

**New Claims**

Claims 51-64 are directed a method, apparatus and recording medium for managing management information associated with a defective unit and a replacement unit. These claims are believed to be allowable over the applied art.

For instance, regarding independent claim 51, Fukasawa fails to teach or suggest a first management area being a temporary management area and writing both the first management information and second management information onto the first management area, as recited in claim 51. Other independent claims 55 and 57 recite similar features in a varying scope. In Fukasawa, first management information and second management information are recorded at separate management areas. That is, in Fukasawa, there is no second management information which is written in the first management area being a temporary management area. Similar comments apply to Kim.

Regarding dependent claims 52, 56 and 58, in Fukasawa there is no updating of the first and second management information until the recording medium is to be finalized as well as the writing the updated first and second management information onto the second management area “at finalization of the recording medium” as recited. Fukasawa’s copying step S1300 that occurs at the end of each recording operation cannot be equated to Applicants’ finalization of the recording medium, which is a term well known in the write-once type recording medium art. Similar comments apply to Kim.

Regarding independent claim 59, as discussed above, Fukasawa fails to teach or suggest the writing feature “at finalization of the write-once recording medium” as recited. Other independent claims 61 and 63 recite similar features. Similar comments apply to Kim.

Hwang et al. has an effective filing date, which is later than the filing date of the Korean priority document(s) of the present application. Applicants are in the process of preparing a certified English translation of such Korean priority document(s) and plan to file it in the near future to remove Hwang et al. as a prior art reference.

**CONCLUSION**

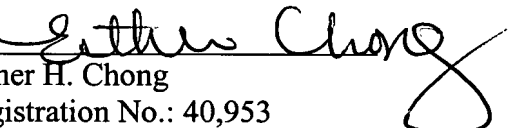
For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By   
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